

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR05-065-RSM
Plaintiff,)
v.)
JUSTEN SANDERSON,) SUMMARY REPORT OF U.S.
Defendant.) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE

An initial hearing on supervised release revocation in this case was scheduled before me on February 21, 2008. The United States was represented by AUSA Matt Diggs and the defendant by Paula Deutsch. The proceedings were digitally recorded.

Defendant had been sentenced on or about May 20, 2005 by the Honorable Ricardo S. Martinez on a charge of Felon in Possession of a Firearm, and sentenced to 7 months custody, 3 years supervised release. (Dkt. 27.)

The conditions of supervised release included the standard conditions plus the requirements that defendant submit to mandatory drug testing, participate in mental health treatment, participate in drug testing and treatment and abstain from alcohol, submit to search, provide access to

01 financial information, obtain a GED and not associate with any known gang members.

02 On March 31, 2006, the conditions of supervision were modified to require residence in
03 a community corrections center for up to 180 days. (Dkt. 28.)

04 On May 9, 2007, defendant's probation officer reported that defendant violated the
05 conditions of supervised release by committing the crime of criminal trespass in the first degree,
06 for which he served four days in jail. Defendant was reprimanded and no further action was taken
07 at the time. (Dkt. 29.)

08 On October 16, 2007, defendant admitted to violating the conditions of supervised release
09 by using alcohol and marijuana, failing to obtain a GED, failing to work regularly at a lawful
10 occupation, failing to report for random drug testing on two occasions, failing to participate as
11 directed in a mental health program, and failing to submit monthly reports for five months. (Dkt.
12 37.) Defendant was sentenced to serve up to 180 days at a residential reentry center, plus three
13 years supervised release minus any jail time served. (Dkt. 39.)

14 In an application dated February 8, 2008 (Dkt. 40), U.S. Probation Officer Jonathan M.
15 Ishii alleged the following violations of the conditions of supervised release:

16 1. Failing to satisfactorily participate in a residential reentry center program in
17 violation of his special condition of supervised release.

18 2. Consuming marijuana, on or about February 13, 2008, in violation of the general
19 condition of supervised release.

20 Defendant was advised in full as to those charges and as to his constitutional rights.

21 Defendant admitted the alleged violations and waived any evidentiary hearing as to
22 whether they occurred. (Dkt. 41.)

01 I therefore recommend the Court find defendant violated his supervised release as alleged,
02 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
03 set before Judge Martinez.

04 Pending a final determination by the Court, defendant has been detained.

05 DATED this 21st day of February, 2008.

06 
07 Mary Alice Theiler
08 United States Magistrate Judge

10 cc: District Judge: Honorable Ricardo S. Martinez
11 AUSA: Matt Diggs
12 Defendant's attorney: Paula Deutsch
13 Probation officer: Jonathan M. Ishii
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